

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Case No. 11-cv-09491-
(WHP)

LUCAS LARSON,

Plaintiff,

-against-

SERPE & ASSOCIATES, P.C. and
SEAN SERPE, *Individually*,

Defendants.

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Rule 26(f) Report Submitted by Plaintiff, Lucas Larson

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting has not been held all attempts to contact Defendants prior to March 21, 2012 were unsuccessful.
2. The parties:
☒ Plaintiffs have served the discovery disclosures required by Rule 26(a)(1);
☐ Defendants will exchange such disclosures by _____;
☐ are exempt from disclosure under Rule 26(a)(1)(E); and/or
☐ have agreed not to make initial disclosures.
3. The parties:
☐ unanimously consent to the jurisdiction of, and entry of judgment by, the United States Magistrate Judge pursuant to 28 USC 636(c); and/or
☒ do not unanimously consent to the jurisdiction of and entry of judgment by the United States Magistrate Judge pursuant to 28 USC 636(c)
4. Recommended cut-off date for filing any motion to amend the pleadings and/or to add additional parties: April 30, 2012
5. Is the case appropriate for mediation after a limited discovery period? Possibly.
6. Will the parties request the services of a court mediator? Possibly.
7. Has a settlement demand been made? Yes. Before filing the Complaint, Plaintiff made an oral settlement offer to Defendants. Since the Complaint was filed, all attempts prior to March 21, 2012 by Plaintiff to reach Defendants had been unsuccessful.
8. Date by which a settlement demand can be made? Not applicable. Terms of settlement have been outlined by Plaintiff to Defendants.

9. Date by which a response can be made to settlement demand? April 6, 2012

10. Recommended Discovery Plan:

Describe the subjects on which discovery is to be sought and the nature and extent of discovery that each party needs to: (1) make a settlement evaluation, (2) prepare for case dispositive motions, and (3) prepare for trial:

- Plaintiff does not need any discovery to make a settlement evaluation. Defendants do not need any discovery (other than Plaintiff's Rule 34 production) to make a settlement evaluation.
- The Parties expect that they may need to take a few depositions in order to prepare the case for dispositive motions.
- To prepare for trial, Plaintiff expects to conduct limited discovery from Defendants, some non-party witnesses to help support its allegations of nonpayment of regular and overtime wages. Such discovery would consist primarily of five to seven depositions and likely include some interrogatories and requests for admission.

What changes should be made, if any, in the limitations on discovery imposed under the Fed. R. Civ. P. or the Southern District of New York Local Rules, including the limitations to interrogatories, requests for admissions, and the number depositions, each lasting no more than one seven-hour day?

- Plaintiff does not request any changes to the limitations posed by the Rules.

Additional recommended limitations on expansions of discovery: None.

Describe the areas for which expert testimony is expected and indicate whether each expert will be specifically retained within the meaning of Fed. R. Civ. P. 26(a)(2):

Plaintiff does not anticipate the use of any expert at this time.

Recommended date for identifying primary experts:

N/A

Recommended date for producing primary expert reports:

N/A

Recommended date for identifying rebuttal experts:

N/A

Recommended date for producing rebuttal expert reports:

N/A

Recommended discovery cut-off date:

June 29, 2012

Recommended date for disclosure of all other case-in-chief witnesses:

April 30, 2012

11. Recommended dispositive motion deadline:

August 31, 2012

12. Recommended date for final pretrial conference:

October 31, 2012

13. Recommended date for trial:

December 3, 2012

14. Other matters for the attention of the Court: N/A

Respectfully submitted,

/s/

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